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**Policy Brief.....H.R. 3289 – FY 2004 Defense and Iraq and  
 Afghanistan Reconstruction Emergency Supplemental**

**By the Numbers**

*In millions of dollars*

	<b>Request</b>	<b>House</b>	<b>Difference</b>
Defense	65,568	65,248	-320
Non-Defense	21,480	21,608	+128
<b>TOTAL</b>	<b>87,048</b>	<b>86,856</b>	<b>-192</b>

**Department of Defense Funding:**

**Defense Funds**

	<i>In Millions of Dollars</i>		
	<b>Request</b>	<b>House</b>	<b>Difference</b>
Military Personnel	17,813	17,143	-670
Operations & Maintenance	38,344	37,854	-490
Overseas Humanitarian, Disaster and Civic Aid	36	36	0
Iraq Freedom Fund	1,989	1,989	0
Procurement	5,249	5,621	372
R&D, Test & Evaluation	339	269	-70
Defense Working Capital Fund	600	600	0
National Defense Sealift Fund	24	24	0
Defense Health Programs	658	658	0
Drug Interdiction & Counter-Drug Activities	73	73	0
Intelligence Community Management Account	22	22	0
Recovery & Repair from Hurricane Isabel	0	413	413
Military Construction	412	523	111
Family Housing	0	21	21
<b>Grand Total</b>	<b>65,559</b>	<b>65,246</b>	<b>-313</b>

Some of the changes to the President’s Request reflect a change in the classification of funding. For example, the request included \$858 million under DOD Operations & Maintenance for funding the Coalitional Provisional Authority but the bill contains this funding in the non-defense title of the bill. The reduction for military personnel funding is the result of reclassifying some contract costs as operations expenses rather than personnel expenses.

Major Additions to the President’s Request Include:

- \$413 million for recovery from Hurricane Isabel at DOD facilities
- \$372 million net increase for procurement, including funds for procuring five items not requested by the Administration (APS-5 Replenishment, Theater Stabilization Communications, Portable Radio Jammers, EA-6b Wing Center Section, Technical Collection: RC-135 and U2)
- \$111 million for military construction

**Non-Defense / Non-Iraq**

**Non-Defense / Non-Iraq**

*In Millions of Dollars*

	<b>Request</b>	<b>House</b>	<b>Difference</b>
Coast Guard Recovery from Hurricane Isabel	0	23	23
Dept of Justice Legal Activities	0	15	15
Diplomatic and Consular Programs	41	156	115
Embassy Security, Construction, & Maintenance	61	44	-17
Emergencies in the Diplomatic & Consular Service	50	50	0
Contributions for International Peacekeeping	0	245	245
Int'l Broadcasting Operations	0	40	40
USAID Operating Expenses	40	40	0
Economic Support Fund (Assistance to Afghanistan & Modification of Loans for Pakistan)	422	872	450
Int'l Disaster and Famine Assistance (Sudan & Liberia)	0	100	100
Emergency Fund for Complex Foreign Crises	100	0	-100
Int'l Narcotics Control & Law Enforcement	120	170	50
Non-Proliferation, Anti-Terrorism, Demining, & Related Programs	35	35	0
Foreign Military Financing Program	222	297	75
Peacekeeping Operations	50	50	0
<b>Grand Total</b>	<b>1,141</b>	<b>2,137</b>	<b>996</b>

Major Additions to the President's Request Include:

- \$15 million for Dept. of Justice to Administer September 11 Victims Compensation Program
- \$115 million increase for Diplomatic and Consular Program
- \$245 million for the U.S. share of the costs of the Peacekeeping Operations in Liberia
- \$40 million to expand broadcasting in Iraq
- \$450 million in additional funds for Economic Support, primarily for Afghanistan
- \$75 million in additional funding for security assistance for Afghanistan
- \$50 million in additional funding for additional narcotics control assistance for Afghanistan

**Iraq Administration Funding:**

<i>In Millions of Dollars</i>			
	<b>Request</b>	<b>House</b>	<b>Difference</b>
Operating Expenses of the Coalition Provisional Authority	0	858	858

NOTE: This funding was requested by the President under the DOD portion of the bill.

**Iraq Reconstruction & Assistance:**

		<i>In Millions of Dollars</i>			
		<b>Request &amp; Senate</b>	<b>House</b>	<b>Difference House &amp; Request</b>	<b>Notes Regarding Administration's Request</b>
<b>Public Safety</b>					
	General Police Forces	150	150	0	
	Int'l Police Training	800	800	0	
	Traffic Police	50	0	-50	
	Border Enforcement	150	150	0	
	Fire Service, Public Safety, Civil Defense	774	599	-175	
	<i>Fire Service</i>	290	NA		Includes purchase of firefighting equipment, including protective gear for firefighters
	<i>Public Safety Training</i>	274	NA		
	<i>Civil Defense</i>	210	NA		
	Facilities Protective Services	67	67	0	Includes \$2.64 million for 80 pickup trucks (\$33 K per truck); \$1.2 million for uniforms (\$60 per person)
	Nat'l Security Communications Network	150	100	-50	Includes funding to create "911" system
<b>Subtotal Public Safety</b>		<b>2,141</b>	<b>1,866</b>	<b>-275</b>	
<b>National Security Forces</b>					
	New Iraqi Army	2,000	2,000	0	
	Iraqi Civil Defense Corps	76	76	0	

<i>Subtotal National Security</i>		<i>2,076</i>	<i>2,076</i>	<i>0</i>	
<b>Justice</b>					
	Technical Assistance for Investigation into Crimes Against Humanity	100	100	0	
	Security for Judges and Prosecutors	200	200	0	Includes \$20 million for the protection of 400 judges at a cost of \$50 K per judge for personnel, vehicles, weapons, and other equipment. Includes \$169 million to improve security at 130 court buildings.
	Witness Protection Program	100	100	0	Relocates 100 families with an average of five persons per family for an average relocation cost of \$200 K per person
	Other Technical Investigative Methods	10	10	0	
	Prison System Technical Assistance	10	10	0	Funds 100 international prison experts for six months at a cost of \$100 K for each expert salary and logistical support
	Reconstruct & Modernize 26 Detention and Prison Facilities	99	99	0	
	Construct 2 New 4,000 Bed Maximum Security Prisons	400	100	-300	Cost works out to \$50 K per bed
<i>Subtotal Justice</i>		<i>919</i>	<i>619</i>	<i>-300</i>	
<b>Electricity</b>					
	Generation	2,900	2,900	0	
	Transmission Networks	1,550	1,550	0	
	Distribution Networks	1,000	1,000	0	
	Communications & Control	150	150	0	
	Institutional Strengthening	25	0	-25	Provides for consultants and a master plan
	Security	50	50	0	
<i>Subtotal Electricity</i>		<i>5,675</i>	<i>5,650</i>	<i>-25</i>	
<b>Oil Infrastructure / Production</b>					
	Oil Investment	1,200	1,200	0	Includes \$8 million to provide security for the Minister of Oil and his Director-Generals
	Oil Product Purchase	900	900	0	
<i>Subtotal Oil Infrastructure</i>		<i>2,100</i>	<i>2,100</i>	<i>0</i>	
<b>Public Works</b>					
	Improve Access to Potable Water	2,830	2,830	0	Raises percent of population with access to potable water to 90% from the current level of less than 60% -- per person cost of between \$186 and \$373 depending upon the delivery method
	Reducing Water Losses	30	30	0	
	Improving Sewer Services	697	697	0	Increases sewer coverage from 6% to 11% at a per capita cost of \$775

Improving Solid Waste Management	153	0	-153	Constructs 50 landfills at a cost of \$500 K per site; Equipment for each site at a cost of \$500 K per site; 40 garbage trucks at a cost of \$50 K per vehicle and six demonstration plants at \$500 K each
<b>Subtotal Public Works</b>	<b>3,710</b>	<b>3,557</b>	<b>-153</b>	
<b>Water Resources</b>				
Pumping Stations	75	75	0	
Standby Generators	75	75	0	
Irrigation / Drainage Systems	130	130	0	
Complete Projects Halted by War	130	130	0	
Rural Water Supply Dams	25	25	0	
Dam Safety Repairs	100	100	0	
Water Pipeline and Treatment Plant	200	200	0	
Environmental Restoration	100	0	-100	Provides for marsh restoration
Tidal Channel Flushing	40	40	0	
<b>Subtotal Water Resources</b>	<b>875</b>	<b>775</b>	<b>-100</b>	
<b>Transportation &amp; Telecommunications</b>				
Ports	45	45	0	
Transportation / Communications	790	455	-335	
<i>Civil Aviation</i>	165	NA		Includes funding for parking lots, escalators and cosmetic improvements at airports
<i>Railroads</i>	303	NA		
<i>IPTC Network Systems</i>	124	NA		
<i>Iraqi Communications Systems</i>	109	NA		Includes \$9 million for updating the postal system and \$19 million to provide WiFi technology
<i>Iraqi Communications Operations</i>	89	NA		Includes \$10 million for commercial TV and radio; \$4 million to establish a phone number and "911" system
<b>Subtotal Transportation &amp; Telecommunications</b>	<b>835</b>	<b>500</b>	<b>-335</b>	
<b>Housing &amp; Construction</b>				
Housing	100	0	-100	Creates seven housing communities totaling 3,528 housing units. Each community will include construction of roads, primary and secondary schools, health clinic, place of worship and a market for each community
Public Building	130	130	0	Funds will be used for 1,325 basic repairs at a cost of \$40 K each; 140 refurbishments at a cost of \$250 K each, and six major reconstruction projects at a cost of \$7 million each.
Roads and Bridges	240	240	0	
<b>Subtotal Housing &amp; Construction</b>	<b>470</b>	<b>370</b>	<b>-100</b>	
<b>Health</b>				
Construct Pediatric Hospital in Basrah	150	0	-150	
Refurbish Health System	393	493	100	
Repair / Replace Equipment	300	300	0	

	Partnership for Health	7	0	-7	Partnerships with U.S. health care entities
<i>Subtotal Health</i>		<i>850</i>	<i>793</i>	<i>-57</i>	
<b>Private Sector Development</b>					
	American-Iraqi Enterprise Fund	200	0	-200	Independent fund to promote private sector development of Iraq
	Expand Network of Employment Centers	8	8	0	Creation of 22 employment centers at a cost of \$350 K each
	On the Job Training	35	35	0	Provides a subsidy for private-sector employers for on-the-job costs of training newly hired workers -- average subsidy \$25 per month per employee
	Market Oriented Specializing Training	110	110	0	Funds computer training, English as a second language training, and vocational training
<i>Subtotal Private Sector Development</i>		<i>353</i>	<i>153</i>	<i>-200</i>	
<b>Refugees, Human Rights, &amp; Civil Society</b>					
	Migration & Refugee Assistance	105	105	0	
	Local Governance and Municipalities	90	0	-90	Provides Public Information Centers (electronic communications, coordination, planning, and a reference library) in each of the 266 municipalities
	Property Claims Tribunal	30	30	0	
	Update Antiquated Banking System	30	30	0	
	Catch-up Business Training	20	0	-20	Funds a four-week course at a cost of \$10 K per pupil
	Human Rights	15	15	0	Includes funding for memorial workshops, museums and other activities to provide information about past atrocities
	Civic Programs	10	10	0	Includes \$5 million for Women's Programming, \$2 million for Youth Programming and \$3 million for Civic Education
<i>Subtotal Refugees, Human Rights, &amp; Civil Society</i>		<i>300</i>	<i>190</i>	<i>-110</i>	
<b>GRAND TOTAL</b>					
		<b>20,304</b>	<b>18,649</b>	<b>-1,655</b>	

Provisions of the President's Request **NOT** Included in the Chairman's Supplemental Mark:

- \$50 million requested for buildings, equipment and vehicles in support of Iraq's traffic police
- \$25 million requested for "institution strengthening" for providing consultants, developing a master plan for continued development, and rehabilitation buildings for the electricity program
- \$153 million requested for improving solid waste management programs, including the procurement of 40 trash trucks at \$50,000 a piece
- \$100 million requested for marsh restoration
- \$4 million requested for a nationwide telephone number scheme
- \$9 million requested for postal information architecture and zip codes

- \$10 million requested to modernize the business practices of the Iraqi television and radio industry
- \$100 million requested to build 7 new housing communities totaling 3,528 housing units. Each community would have included construction of roads, primary and secondary schools, health clinic, place of worship and a market for each community.
- \$7 million requested for a partnership with U.S. health care entities
- \$150 million requested to initiate a new \$500 million to \$700 million children's hospital in Basra
- \$200 million requested to create an American-Iraqi Enterprise Fund
- \$90 million requested to establish Public Information Centers in each of the 226 municipalities
- \$20 million requested to fund a four-week catch-up business course at a cost of \$10,000 per pupil

Provisions of the President's Request **REDUCED** in the Chairman's Supplemental Mark:

- \$175 million less than the request for Fire Service, Public Safety, and Civil Defense
- \$50 million less than the request for a National Security Communications Network
- \$300 million less than the request for prison and detention facilities (President had requested \$400 million for construction of two prisons at a cost of \$50,000 per bed)
- \$312 million less than the request for Transportation and Communication Projects – This includes funding for parking garages, escalators, and cosmetic improvements at airports

Provisions of the President's Request **INCREASED** in the Chairman's Supplemental Mark:

- \$100 million above the request of \$393 million to refurbish the Health Care system

**Language of Note:**

Personnel Benefits:

- Extends provisions of the last Iraq Supplemental permitting DOD to provide travel for the family of service members injured in Iraq or Afghanistan and to provide civilian attire for members of the armed forces in Afghanistan and Iraq who are traveling to a medical center because of an injury or illness.
- Extends imminent danger and family separation pay increases included in the last Supplemental.

General DOD:

- Requires a report from DOD regarding alternatives for replacing the Air Force fleet of KC-135 tanker aircraft (this relates to a controversy over a plan to lease rather than buy replacement tankers).
- Amends the computation process for Impact Aid payments to schools to permit students who would otherwise be eligible for assistance if not for the deployment or death of their military parent(s) or guardian to remain eligible for assistance.

Iraqi & Afghanistan Reconstruction:

- Requires the Coalition Provisional Authority to ensure that the new Iraqi Constitution preserves the full rights of religious freedom.
- Requires 10% of the funds provided to USAID that are made available on a subcontract basis be reserved for small businesses.
- Prevents any of the funds provided to Iraq from being used to repay any loans entered into by Iraq prior to May 1, 2003.
- Requires the use of competitive contracts when expending funds for Iraqi Reconstruction, unless the President follows certain established practices to waive the requirement. If the President exercises such a waiver, detailed information must be provided to Congress and the public.
- Requires the GAO to review and report on the compliance with the contracting provisions in the bill and other applicable laws and regulations.
- Permits the export of small arms to Iraq subject to certain requirements included in the last Supplemental governing non-lethal military equipment.
- Requires the Coalition Provisional Authority to submit monthly reports to Congress and the public on Iraqi oil production and revenues.
- Requires the President to submit quarterly reports on military operations and reconstruction efforts in Iraq and Afghanistan, including amounts expended, progress made, impact of the activities on overall military readiness and recruitment and retention, cost of repairing U.S. equipment damaged during the activities, and the amount of international participation in activities.
- Prohibits any funds for any defense or reconstruction activities in Iraq or Afghanistan to be coordinated by an officer who is not subject to appointment by the President with confirmation by the Senate (i.e. Dr. Condoleezza Rice would be prohibited from coordinating the expenditure of funds).
- Prohibits funding of any security force of a foreign country participating with coalition forces in Afghanistan or Iraq if the Secretary of State or the Secretary of Defense has credible evidence that such unit has committed gross violations of human rights, unless the appropriate Secretary determines that the government of such country is taking effective measures to bring the responsible members of the security forces to justice.

#### Immigration Provisions:

- Prohibits the use of funding in this or any other Act to execute any program that would remove Mexican citizens or nationals by land from the United States by returning them to a location other than the United States port of entry closest to the location where they were apprehended, last imprisoned, or acquitted. Permits a waiver if the Secretary of Homeland Security determines that this is not feasible.
- Prohibits the use of funding in this or any other appropriations Act for the issuance of immigration Form I-20A (Certificate of Eligibility for Nonimmigrant Student Status) by the San Antonio Office of Detention and Removal of the Bureau of Immigration and Customs Enforcement of the Department of Homeland Security.